IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1273 OF 2007

Rajendra Sarjerao Pawar ..Applicant

Vs.

State of Maharashtra ..Respondents

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Mr.Sureshchandra Bhosale Advocate for Applicant
Mr.K.V.Saste A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 25, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail in C.R.No.88 of 2006 of Jejuri Police Station. The said case is mainly under Sections 498-A and 302 of IPC.

3. It is the prosecution case that the applicant has set his wife Manisha on fire. In the present case, there are three dying declarations . In the dying declaration recorded first in point of time, Manisha has stated that while she was cooking, her saree accidentally caught fire and

hence, she sustained burn injuries. In the other dying declaration, she has stated that her husband set her on fire. Manisha has sustained 70% burn injuries. In all the three dying declarations, Manisha has stated that her husband has extinguished the fire. The present applicant has sustained 35% burn injuries while extinguishing the fire and thereafter, admittedly he had taken Manisha to the hospital. Looking to the inconsistent dying declarations and other facts of this case, I am inclined to grant bail to the applicant.

4. The applicant to be released on bail in the sum of Rs.25,000/- (Rs.Twenty five thousand only) with one or two sureties to make up the said amount in C.R.No.88 of 2006 of Jejuri Police Station. The applicant shall report to the concerned Police Station once in a week till the conclusion of trial.

5. Application is disposed of.

[Smt. V.K.Tahilramani, J.]